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**DEPARTMENT OF THE ARMY**  
U.S. ARMY CRIMINAL INVESTIGATION COMMAND  
Bagram CID Office  
19th Military Police Battalion (CID), APO, AE, Afghanistan

07 Jun 2010

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0071-2010-CID369-13830 - 5H1A /  
9G2C / 9G2F

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 23 MAR 2010, 0810 - 23 MAR 2010, 0811; GUARD TOWER LOCATED AT  
ENTRY CONTROL POINT 1, COP TANGI, TF TALON, APO 09354, AFGHANISTAN

DATE/TIME REPORTED: 23 MAR 2010, 0930

INVESTIGATED BY:

(b)(6) (b)(7)(C) (b)(3), (b) (7)(E)

(b)(6) (b)(7)(C) (b)(3), (b) (7)(E)

SUBJECT:

1. HIGGINS, DAVID LAWRENCE; SGT; (b)(6) (b)(7)(C) (b)(3) (DOB); (POB); MALE;  
WHITE; C CO. 1/503RD INFANTRY BATTALION (AIRBORNE), COB TANGI, TF  
TALON, APO, AE, AF; CT ; [MURDER]

VICTIM:

1. QADIR, GHULAM (DECEASED); FRCIV; AFGHANISTAN; (DOB); (POB);  
MALE; WHITE; GHULAD KHEYL, AF; CT ; [MURDER]

INVESTIGATIVE SUMMARY:

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This office was notified by (b)(6) (b)(7)(C) (b)(3)  
(b)(6) (b)(7)(C) (b)(3)  
(b)(6) (b)(7)(C) (b)(3) of the death of a local national.

Investigation determined SGT HIGGINS committed the offense of Murder when he utilized his advanced combat optical gunsight (ACOG), which was attached to his assigned M4 semi-automatic rifle to scan, track and shoot Mr. QADIR. Mr. QADIR was struck with a single round in his neck which resulted in his death.

**STATUTES:**

Article 119, UCMJ: Murder

**EXHIBITS:**

**ATTACHED:**

1. Agent's Investigation Report (AIR) of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
2. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10. (Crime Scene)
3. Crime Scene Sketch prepared by (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
4. Photographic Packet. (Crime Scene)
5. CD containing all original photographs pertaining to Exhibit 4.
6. AIR of (b)(6) (b)(7)(C) (b)(3) 24 Mar 10.
7. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
8. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
9. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
10. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.

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11. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
12. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
13. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
14. Waiver Certificate and Sworn Statement of SGT HIGGINS, 23 Mar 10.
15. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
16. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
17. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
18. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
19. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
20. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
21. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
22. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
23. Weapons Status/Clearing Procedures Worksheet.
24. 173rd ABCT ISAF Rules of Engagement Worksheet.
25. Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
26. Non Waiver Certificate of SGT HIGGINS, 24 Mar 10.
27. AIR of (b)(6) (b)(7)(C) (b)(3) 3 Apr 10.
28. Statement of (b)(6) (b)(7)(C) (b)(3) 3 Apr 10.

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29. (29-1 thru 29-52) Personnel File of SGT HIGGINS.
30. AIR of (b)(6) (b)(7)(C) (b)(3) 3 Apr 10. (Crime Scene)
31. Crime Scene Sketches (1-3) prepared by (b)(6) (b)(7)(C) (b)(3) 3 Apr 10.
32. Photographic Packet. (Crime Scene)
33. CD containing all original photographs pertaining to Exhibit 32.
34. AIR of (b)(6) (b)(7)(C) (b)(3) 3 Jun 10.
35. Task Force Talon Weapon's Status Guidelines.
36. 1st Platoon, C Company, 1-503d Warrior Skills Tasks.
37. SGT HIGGINS' Record Fire Scorecard, 22 Oct 09.
38. Forensic Laboratory Examination Request, 6 Apr 10.
39. Investigator's Statement of (b)(6) (b)(7)(C) (b)(3) 23 Mar 10.
40. CDs containing Medical Photographs pertaining to Mr. QADIR. (USACRC only)
41. United States Army Criminal Investigation Laboratory (USACIL) DNA Branch Final Report number 2010-CID131-0872.
42. USACIL Firearms Branch Final Report number 2010-CID131-0872.
43. Evidence/Property Custody Document (EPCD), Document Number (DN) 234-10, 235-10, and 241-10.
44. CD containing all original photographs associated with this investigation.

NOT ATTACHED:

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None.

The originals of Exhibits 1 - 13, 15 - 22, 25, 27, 28, 30 - 34, 39, 40, and 44 were attached to the USACRC copy of this report. The originals of Exhibits 14 and 26 were retained in the files of this office, pending adjudication. The originals of Exhibits 23, 24, 29 and 35 - 37 were maintained in the files of the 173rd ABCT. The originals of Exhibits 38, 41 and 42 were maintained in the files of USACIL, Forest Park, GA. The originals of Exhibit 43 were maintained in the files of the Evidence Depository, this office.

STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is pending.

CID reports of investigation may be subject to a Quality Assurance Review by CID higher headquarters.

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Report Prepared By:

Report Approved By:

(b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3)

**DISTRIBUTION:**

Dir, USACRC, Ft Belvoir, VA

1 - Commander, 19th MP Battalion (CID), ATTN: BN OPS, Bagram Airfield, APO AE 09354

1- Commander, 19th MP Battalion, Bagram Airfield, APO AE, 09354

1 - Commander, 6th MP Group (CID), (ATTN: OPS), Fort Lewis, WA (e-mail only)

(b)(6) (b)(7)(C) (b)(3)

1 - Director, AFIP, (ATTN: AFIP-CPLF), AFIP Annex - Bldg 102, 1413 Rockville, MD 20850

1 - AFIP, DOVER FACILITY, DOVER AFB, DE

1 - SJA, Task Force Bayonet, Forward Operating Base Shank, APO AE, 09364

(b)(6) (b)(7)(C) (b)(3)

FILE